

REMARKS/ARGUMENTS

The Examiner's attention to the present application is noted with appreciation.

The Examiner rejected claim 24 under 35 U.S.C. 112 second paragraph as being indefinite in that it fails to further limit the parent claim. Claim 24 has been cancelled.

The Examiner rejected claims 21-57 under 35 U.S.C. §103(a) as being unpatentable over Buxton et al. in view of Bell. Such rejection is respectfully traversed, particularly as to the claims as amended. Neither of the references cited by the Examiner, nor the combination thereof, teaches or suggests all of the claim limitations (MPEP 2143.03). On page 3 of the Office Action the Examiner states that Buxton et al. disclose the limitation of subsequently dividing the screen of the display object into a plurality of spatial regions. Claim 21 has been amended to clarify that the step of dividing the display object occurs after the *undivided* display object has been displayed to at least one viewer. Claim 40 as filed clearly requires that one or more viewers are displayed an *undivided* display object. Neither limitation is disclosed by Buxton et al. or Bell.

Contrary to the Examiner's assertions, Buxton et al. clearly disclose displaying a *divided* display object, that is, one that has a grid and/or icons superimposed on it, to a viewer, as is clearly shown in Figs. 1, 2, and 13-16, and throughout the text, for example col. 5, lines 57-62, and col. 6, lines 12-14. Buxton et al. teach determining the preference of the viewer for a given overlay characteristic or icon. That is, Buxton et al.'s purpose is to evaluate the *combination* of an overlay and a background object. Buxton et al. disclose that the viewer, who is responding to the overlay, icons, and shadings, makes real-time decisions based on which icon, part of the overlay, or shading is most user-friendly for the user interface. Thus it is essential to Buxton et al.'s invention that the viewer views the overlays, icons, and/or shadings in combination with the display object. Further, note that the grid of Buxton et al. in Figs. 1 and 2 is displayed solely for the purpose of separating different objects or areas of different overlay characteristics (e.g. transparency) which are overlayed on the background. The grid is *not* used for the purpose of dividing the background into spatial regions and correlating features of the background in each region with viewer responses. The viewer responses of Buxton et al. are due to the type or characteristic (e.g. transparency) of the overlaying object, *not* due to the elements comprising the background object.

In contrast, the purpose of the present invention is for decision makers to evaluate the display object by displaying it to viewers *without* any grid or overlay. The grid is strictly for the purpose of displaying the viewer responses *to decision makers* in an intuitive manner, as the present claims, as amended, make clear.

In view of the above amendments and remarks, it is respectfully submitted that all grounds of rejection and objection have been avoided and/or traversed. It is believed that the case is now in condition for allowance and same is respectfully requested.

If any issues remain, or if the Examiner believes that prosecution of this application might be expedited by discussion of the issues, the Examiner is cordially invited to telephone the undersigned attorney for Applicant at the telephone number listed below.

Also being filed herewith is a Petition for Extension of Time to February 28, 2004 with the appropriate fee. Authorization is given to charge payment of any additional fees required, or credit any overpayment, to Deposit Acct. 13-4213. A duplicate of this paper is enclosed for accounting purposes.

Respectfully submitted,

By:



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